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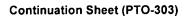
| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. | | |
|--|----------------|----------------------|---------------------------|-------------------------|--|--|
| 09/977,777 | 10/15/2001 | Cynthia M. Merkin | 16356.662 (DC-03303) 3763 | | | |
| 27683 75 | 590 11/06/2006 | | EXAMINER | | | |
| HAYNES AND BOONE, LLP 901 MAIN STREET, SUITE 3100 | | | GLASS, RI | GLASS, RUSSELL S . | | |
| DALLAS, TX | • | | ART UNIT | PAPER NUMBER | | |
| , | | | 3626 | 3626 | | |
| | | | DATE MAILED: 11/06/2006 | DATE MAILED: 11/06/2006 | | |

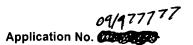
Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief

| Application No. | Applicant(s) | |
|------------------|---------------|--|
| 09/977,777 | MERKIN ET AL. | |
| Examiner | Art Unit | |
| Russell S. Glass | 3626 | |

| | Russell S. Glass | 3626 | |
|---|--|---|---|
| The MAILING DATE of this communication appea | rs on the cover sheet with the c | orrespondence add | ress |
| THE REPLY FILED 09 October 2006 FAILS TO PLACE THIS AI | PPLICATION IN CONDITION FOR | RALLOWANCE. | |
| 1. The reply was filed after a final rejection, but prior to or on this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a Not a Request for Continued Examination (RCE) in compliance time periods: | ing replies: (1) an amendment, aff ice of Appeal (with appeal fee) in c e with 37 CFR 1.114. The reply mu | idavit, or other evider compliance with 37 C | rce, which FR 41.31; or (3) |
| a) The period for reply expiresmonths from the mailing b) The period for reply expires on: (1) the mailing date of this Ac no event, however, will the statutory period for reply expire la Examiner Note: If box 1 is checked, check either box (a) or (b TWO MONTHS OF THE FINAL REJECTION. See MPEP 70 | dvisory Action, or (2) the date set forth ter than SIX MONTHS from the mailing b). ONLY CHECK BOX (b) WHEN THE 6.07(f). | g date of the final rejecti E FIRST REPLY WAS F | on. ILED WITHIN |
| Extensions of time may be obtained under 37 CFR 1.136(a). The date of have been filed is the date for purposes of determining the period of extender 37 CFR 1.17(a) is calculated from: (1) the expiration date of the size forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL | ension and the corresponding amount hortened statutory period for reply origi | of the fee. The appropr inally set in the final Offi | ate extension fee ce action; or (2) as |
| The Notice of Appeal was filed on A brief in compl filing the Notice of Appeal (37 CFR 41.37(a)), or any exten a Notice of Appeal has been filed, any reply must be filed. AMENDMENTS | sion thereof (37 CFR 41.37(e)), to | avoid dismissal of th | |
| 3. The proposed amendment(s) filed after a final rejection, be (a) They raise new issues that would require further con (b) They raise the issue of new matter (see NOTE below | sideration and/or search (see NO v); | TE below); | |
| (c) ☐ They are not deemed to place the application in bett appeal; and/or (d) ☐ They present additional claims without canceling a content of the content of th | | | the issues for |
| NOTE: (See 37 CFR 1.116 and 41.33(a)). | | | |
| 4. The amendments are not in compliance with 37 CFR 1.12 | | mpliant Amendment | (PTOL-324). |
| 5. Applicant's reply has overcome the following rejection(s): | | | |
| 6. Newly proposed or amended claim(s) would be all non-allowable claim(s). | owable if submitted in a separate, | timely filed amendme | ent canceling the |
| 7. For purposes of appeal, the proposed amendment(s): a) a how the new or amended claims would be rejected is proved the status of the claim(s) is (or will be) as follows: Claim(s) allowed: none. Claim(s) objected to: none. Claim(s) rejected: 1-25 and 29. Claim(s) withdrawn from consideration: none. | | II be entered and an e | explanation of |
| AFFIDAVIT OR OTHER EVIDENCE | | | |
| The affidavit or other evidence filed after a final action, but because applicant failed to provide a showing of good and was not earlier presented. See 37 CFR 1.116(e). | | | |
| 9. The affidavit or other evidence filed after the date of filing a entered because the affidavit or other evidence failed to or showing a good and sufficient reasons why it is necessary | vercome <u>all</u> rejections under appe | al and/or appellant fa | ils to provide a |
| 10. \square The affidavit or other evidence is entered. An explanation | n of the status of the claims after e | ntry is below or attacl | ned. |
| REQUEST FOR RECONSIDERATION/OTHER 11. ☑ The request for reconsideration has been considered but See Continuation Sheet. | t does NOT place the application in | n condition for allowa | nce because: |
| 12. Note the attached Information Disclosure Statement(s). (| PTO/SB/08) Paper No(s). | | |
| | LUKE GILLIGAN ATENT EXAMINER | | |





Continuation of 11. Other:

- 1.The newly added features of "the request including type, revision and serial number of each field replaceable unit (FRU) in the configuration" and "the fee being based in part on the FRUs" is a shift in the scope of the claim that requires further search and consideration.
- 2. Applicant argues features that have not been entered as of the present communication
- 3. Applicant's other arguments merely rehash issues addressed in Final Rejection filed on 8/8/2006 and incorporated therein. Thus, the finality of the previous Office Action is maintained.